

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN B. FRATI,

Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO DEPARTMENT OF PUBLIC
HEALTH, et al.,

Defendants.

No. C 10-2686 LHK (PR)

ORDER OF DISMISSAL
WITHOUT PREJUDICE

Plaintiff, proceeding *pro se*, filed the instant civil rights complaint pursuant to 42 U.S.C. § 1983. On October 12, 2010, the Court screened Plaintiff's complaint and dismissed it with leave to amend. Plaintiff was directed to file an amended complaint within thirty days of the filing date of the order. On October 27, 2010, mail sent to Plaintiff by the Court was returned to the Clerk of the Court with a notation that it was undeliverable. As of the date of this order, Plaintiff has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not

1 deliverable, and (2) the Court fails to receive within sixty days of this return a written
2 communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).

3 More than sixty days have passed since the mail sent to Plaintiff by the Court was
4 returned as undeliverable. The Court has not received a notice from Plaintiff of a new address.
5 Accordingly, the instant complaint is DISMISSED without prejudice pursuant to Rule 3-11 of
6 the Northern District Local Rules. The Clerk of the Court shall enter judgment and close the
7 file.

8 IT IS SO ORDERED.

9 Dated: 1/8/11

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LUCY H. KOH
United States District Judge